NOTIFICATION.

No. 68—L. C., dated 30th August 1910.

Under Rule 31 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill to amend the Government Savings Banks Act, 1873, as in force in Mysore, is published for general information with the statement of objects and reasons.

By Order,
S. HIRIYANNAIYA,
Secretary, Mysore Legislative Council.

A Bill to amend the Government Savings Banks Act, 1873.

Whereas it is expedient to amend the Government Savings Banks Act, V of 1873, as applied to Mysore by Notification of the Government of India, Foreign Department, Judicial, No. 118, dated the 23rd June 1873: His Highness the Maharaja is pleased to enact as follows :—

Preamble.

Insertion of a new section after Section 4.

1. The following shall be inserted after Section 4, as Section 4 A, namely :—

Payment to nominees in certain cases.

"4, A. Notwithstanding anything contained in Section 4 or in the Indian Succession Act, X of 1865, or the Mysore Succession Certificate Regulation, VII of 1901, or any other law for the time being in force, if a depositor dies leaving any sum of money in a Government Savings Bank, the Secretary of such Bank may pay the same to the person nominated by the depositor during his lifetime and registered in the office of the Secretary under rules to be made by Government in this behalf; provided that such nomination shall not be allowed in the case of deposits belonging to minors."

STATEMENT OF OBJECTS AND REASONS.

Under Section 4 of the Government Savings Banks Act, 1873, as applied to Mysore by the Government of India Notification, Foreign Department, Judicial, No. 118, dated the 23rd June 1873, when a depositor dies leaving in a Government Savings Bank Rupees one thousand or under, the Secretary of such Bank, may, if no probate of the depositor's will or letters of administration to his estate or a certificate under Act XXVII of 1860 or under Regulation VII of 1901 (the Succession Certificate Regulation) is produced within three months of the death of the depositor, make payment of the deposit to any person appearing to him to be entitled to receive it or to administer the estate of the deceased. But if the deposit exceeds Rupees one thousand, payment can be made to the heirs of the deceased only on the production of a succession certificate or probate of a will or letters of administration. This necessarily involves a certain amount of expenditure to the families of the deceased depositors at a time when they are least able to meet it. With a view to give them relief from these pecuniary burdens, it is proposed to amend the Act by providing, on the analogy of the State Life Insurance Rules, for nomination by depositors during their lifetime of the person or persons to whom they would desire payment to be made after their death. This procedure will enable the Secretary of the Bank to pay the amount of the deposit to the person or persons nominated beforehand by the depositor, and thus obviates the necessity of the heirs having to seek the aid of the Courts for recovery of the deposits.

For obvious reasons, it is not proposed to extend the provision regarding nomination to deposits belonging to minors.

NOTIFICATION.

No. 69—L. C., dated 30th August 1910.

Under Rule 31 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill to amend in certain respects the Mysore Municipal Regulation, 1906, is published for general information with the statement of objects and reasons for the same.

By Order,
S. HIRIYANNAIYA,
Secretary, Mysore Legislative Council.

A Bill to amend the Mysore Municipal Regulation, VII of 1906.

Whereas it is expedient to amend in certain respects the Mysore Municipal Regulation, VII 1906; His Highness the Maharaja is pleased to enact as follows:—

1. In Section 48, sub-section (1), clause (*k*), after the words "providing for the exhibition of tables of octroi," the following words shall be inserted, namely:—"requiring a license to be obtained for the sale of any article liable to octroi and prescribing the conditions on or subject to which such license may be granted, refused, suspended or withdrawn."

Amendment of clause (k), sub-section (1), of Section 48.

2. Clause (*w*) of sub-section (1) of Section 48 shall be numbered as clause (*y*) and there shall be inserted the following clauses after clause (*v*) of the said sub-section, namely:—

Addition of two clauses to sub-section (1) of Section 48.

"(*w*) rendering licenses necessary for the proprietors or drivers of vehicles or animals kept or plying for hire or for profit within the Municipality and prescribing the conditions on or subject to which such licenses may be granted, refused, suspended or withdrawn;

Licensing of vehicles or animals plying for hire;

"(*x*) limiting the rates which may be demanded for the hire of any carriage, cart or other conveyance, or of any animal, hired to carry loads or for the services of persons hired to carry loads and the loads to be carried by such conveyances, animals or persons, when hired within the Municipality for a period not exceeding twenty-four hours, or for a service which would ordinarily be performed within twenty-four hours;"

Prescribing the rates of hires for vehicles or animals hired;

3. After Section 77, the following section shall be inserted, namely:—

Addition of a section after Section 77.

"77 *A* (1) Any person selling or keeping for sale without a license any article liable to octroi for the sale of which a license is required to be obtained, or having in his possession any such article on which octroi has not been paid, shall be liable, on conviction before a Magistrate, to a fine not exceeding ten times the octroi due on all the articles so sold or kept for sale, or possessed, or rupees one hundred whichever may be greater; and

Penalty for selling articles liable to octroi without a license or for being in possession of any such article on which octroi has not been paid.

(2) Any officer of the Municipal Council authorised by the Municipal Council in this behalf, if he has reason to believe that any such article on which octroi has not been paid, is kept or concealed in any premises, may, after obtaining the warrant of a Magistrate, enter and search at any time such premises and, if he finds any such article on which octroi has not been paid, may seize any such article and arrest any person in possession of the same:

Seizure of articles on which octroi duty has not been paid and arrest of persons in possession of such articles.

Provided that any article or person so seized or arrested shall be produced before a Magistrate exercising jurisdiction within the Municipality within twenty-four hours from the time of such seizure or arrest:

Provided also that nothing in this section shall apply to any such article not exceeding Rs. 200 in value purchased by any person for the personal use of himself or any member of his family or sold by auction consequent on the owner dying or quitting the station.

Searches and arrests to be governed by the provisions of the Criminal Procedure Code.

(3) The provisions of the Code of Criminal Procedure shall, so far as may be, apply to all searches and arrests effected under this section."

Addition of a section after Section 175.

4. After Section 175, the following section shall be inserted, namely:—

"175 *A*.,-The Government may, from time to time, make rules not inconsistent with this Regulation as to the preparation of plans and estimates for works which are to be partly or wholly constructed out of the Municipal Fund and the authority by whom, and the conditions subject to, which such plans and estimates for works may be sanctioned."

Government may frame rules as to the preparation, etc., of plans and estimates for works.

5. In Schedule 1, above the words "for every other vehicle with springs and every palanquin, bicycle or tricycle, Rs. 6" there shall be inserted the following, namely:—

Amendment of Schedule 1.

	Rs.
"For every motor car	... 30
For every motor cycle	... 15"

STATEMENT OF OBJECTS AND REASONS.

The Municipal Regulation introduced into the State in 1906 has been found to be defective in some important particulars and the object of the proposed Bill is to remedy these defects.

Clause 1.—The old Municipal Regulation of 1871 (as amended by Regulation VII of 1899) which was in force in Bangalore and Mysore Cities prior to the introduction of the present Regulation, authorised the Municipal Councils to regulate the sale of dutiable articles by requiring licenses to be taken for their sale. As the present Regulation contains no corresponding provision and as the need for it has been felt by the Bangalore Municipal Council, it is proposed to amend suitably clause (*k*) of sub-section (1) of Section 48 of the present Regulation.

Clause 2.—This clause gives power to the Municipal Councils to regulate the use of carts plying for hire within the Municipal limits. The draft is based on Section 137 (*a*) and (*b*) of the Municipal Act as in force in the Civil and Military Station, Bangalore.

Clause 3.—The old Municipal Regulation contained a provision empowering especially authorised officers of the Municipality to seize dutiable goods that were suspected to have been smuggled. There is no provision corresponding to this in the present Regulation. This defect is now sought to be remedied by this clause. It is to be noted that the penalty of confiscation provided for in the old Act for smuggling has not been adopted, as unnecessarily stringent.

Clause 4.—This is based on Section 31 (*g*) of the Mysore Local Boards Regulation and supplies a defect in procedure, in regard to the sanctioning of certain major works to be undertaken by a Municipality.

Clause 5.—The maximum rate at which a motor car or a motor cycle can, at present, be taxed under Section 59 (ii) of the present Regulation is Rs. 6 a year. This limit is considered too low and it is proposed to fix Rs. 30 per annum for motor cars and Rs. 15 for motor cycles.